

FITZPATRICK, CELLA, HARPER &amp; SCINTO

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OCT 25 2005

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## FACSIMILE COVER SHEET

**TO:** Examiner C. Pham  
Group Art Unit 2192

**FROM:** Michael K. O'Neill

**RE:** U.S. Application No. 10/051,081  
Atty. Docket No. 03560.002981.

**FAX NO.:** (571) 273-8300

**DATE:** October 25, 2005

**NO. OF PAGES:**  
(Including cover page) *17*

**TIME:** 3:33

**SENT BY:** *Pham*

## MESSAGE

Transmitted herewith is an Amendment After Final Rejection in response to the Office Action dated July 27, 2005.

I hereby certify that this correspondence is being facsimile transmitted to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

October 25, 2005

(Date of Transmission)

Michael K. O'Neill, Reg. No. 32,622

(Name of Attorney for Applicant)

Michael K. O'Neill *Michael K. O'Neill*

October 25, 2005

Date of Signature

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OCT 25 2005

Response Under 37 CFR § 1.116  
Expedited Procedure - Group 2192

In re Application of:

Docket No. 03560.002981.

EIICHIRO KITAGAWA

Examiner: C. Pham

Application No.: 10/051,081

Group Art Unit: 2192

Filed: January 22, 2002

Date: October 25, 2005

For: DEVICE AND METHOD FOR DOWNLOADING SOFTWARE VIA A NETWORK

Mail Stop AF  
 COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment After Final Rejection in the above-identified application.

No additional claims fee is required.

The fee has been calculated as shown below

CLAIMS AS AMENDED						
	(2) CLAIMS REMAINING AFTER AMENDMENT		(4) HIGHEST NO. PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL CLAIMS	* 28	MINUS	** 28	= 0	x \$25 \$50	- 0 -
INDEP. CLAIMS	* 4	MINUS	*** 4	= 0	x \$100 \$200	- 0 -
Fee for Multiple Dependent claims \$180°/\$360						
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT--						- 0 -

\* If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

I hereby certify that this correspondence is being facsimile transmitted  
 to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-  
 1450 on

October 25, 2005  
 (Date of Transmission)

Michael K. O'Neill, Reg. No. 32,622  
 (Name of Attorney for Applicant)

  
 Michael K. O'Neill  
 Signature

October 25, 2005  
 Date of Signature

Verified Statement claiming small entity status is enclosed, if not filed previously.

A check in the amount of \$\_\_\_\_\_ is enclosed.

Charge \$\_\_\_\_\_ to Deposit Account No. 06-1205. A duplicate copy of this sheet is enclosed.

Any prior general authorization to charge an issue fee under 37 C.F.R. 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 and 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205. A duplicate copy of this paper is enclosed.

A check in the amount of \$\_\_\_\_\_ to cover the fee for a \_\_\_\_ month extension is enclosed.

A check in the amount of \$\_\_\_\_\_ to cover the Information Disclosure Statement fee is enclosed.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

  
\_\_\_\_\_  
Michael K. O'Neill

Attorney for Applicant  
Michael K. O'Neill  
Registration No.: 32,622

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
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OCT 25 2005

Response Under 37 CFR § 1.116  
Expedited Procedure - Group 2192

03560.002981.

PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
 EIICHIRO KITAGAWA ) Examiner: C. Pham  
 Application No.: 10/051,081 ) Group Art Unit: 2192  
 Filed: January 22, 2002 )  
 For: DEVICE AND METHOD FOR )  
 DOWNLOADING SOFTWARE )  
 VIA A NETWORK ) October 25, 2005

Mail Stop AF  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

AMENDMENT AFTER FINAL REJECTION

Sir:

In response to the Office Action dated July 27, 2005 please amend the  
 above-identified application as follows:

I hereby certify that this correspondence is being facsimile transmitted  
 to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-  
 1450 on

October 25, 2005  
 (Date of Transmission)

Michael K. O'Neill, Reg. No. 32,622  
 (Name of Attorney for Applicant)

*Michael K. O'Neill*  
 Signature

October 25, 2005  
 Date of Signature